IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.551 OF 2005

Pramod Dharma Nandgaonkar. .. .. Petitioner
v/s.
Maharashtra Pollution Control
Board & ors. .. .. Respondents

Ms.Aniketa Aher-Sawant for petitioner.

Mr.R.V.Govilkar with Ms.Rituja Ambekar for res.No.1.

Mr.G.N.Salunke for res.No.4.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATE : 20TH APRIL 2005

P.C. :

1. Heard the learned Counsel for the parties.

2. The petitioner makes a grievance with respect to the selection of respondent No.4 on the post of Assistant Accounts Officer under the 1st respondent-Board. The advertisement for this post required the person concerned to have a Degree in Commerce (First Class) from a recognised University and to possess an experience of not less than three years in a supervisory capacity in Accounts Department. As far as the petitioner is

concerned, he is working in the 1st respondent-Board itself as a Head Accountant. Respondent No.4 was working in a Firm of the Chartered Accountants. Both of them were interviewed and respondent No.4 was selected.

3. The grievance of the petitioner is that respondent No.4 was not having the requisite experience in a supervisory capacity. On receiving a complaint, an information was sought from the Firm of Chartered Accounts wherein respondent No.4 was working. The Firm of Chartered Accountants explained to the 1st respondent-Board that the work that respondent No.4 was doing was in a supervisory capacity. This explanation has been placed before us through an affidavit filed on behalf of respondent No.4. Inasmuch as the petitioner has been given an opportunity and has been considered along with respondent No.4, if respondent No.1-Board finds respondent No.4 to be better suitable, we cannot sit in judgment over respondent No.1-Board's decision in this behalf. We do not find any error. Petition is dismissed.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)